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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/687,728	10/16/2003	Kuen-Yih Hwang	4380-5	4892

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INTRADO INC.
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EXAMINER

MILLER, BRANDON J

ART UNIT	PAPER NUMBER
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2617

DATE MAILED: 04/19/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/687,728	Applicant(s) HWANG ET AL.	
	Examiner Brandon J. Miller	Art Unit 2617	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 07 February 2006.
- 2a) ☒ This action is FINAL. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-31 and 46-61 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-31 and 46-61 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 04 February 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Amendment

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 8-10 are rejected under 35 U.S.C. 102(e) as being anticipated by Calvert.

Regarding claim 8 Calvert teaches a location service network node, comprising: data storage, operable to store at least one of data and application programming; a processor, operable to execute application programming (see paragraphs [0022] & [0026], system infrastructure include network nodes). Calvert teaches a first interface, operable to interconnect the node to a communication network and operable to send and receive location information (see paragraphs [0022] & [0026], communication links relate to first interface). Calvert teaches wherein location information regarding a first communication device is received from a network entity in a communication network (see paragraphs [0026] & [0037], system controller relates to network entity). Calvert teaches wherein location information regarding the first communication device is directed to a second communication device (see paragraphs [0020] & [0059]).

Regarding claim 9 Calvert teaches wherein the location related information comprises the location information (see paragraph [0055]).

Regarding claim 10 Calvert teaches location information indicates a location of the first communication device in a first format (see paragraph [0054]) and wherein the location related information indicates a location of the first communication device in a second format (see paragraph [0056]).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-7, 11-12, 14-16, 19-31, and 46-49 are rejected under 35 U.S.C. 103(a) as being unpatentable over Calvert in view of Herle.

Regarding claim 1 Calvert teaches a system for providing communication device location information, comprising; a first communication device and a second communication device (see paragraph [0020]). Calvert teaches a communication network configured to interconnect the first communication device, and the second communication device (see paragraph [0022]). Calvert teaches a location service center node connected to the communication network (see paragraphs [0022] & [0026]) and configured to receive a request for location related information from a requesting one of the first and second communication devices regarding either one of the first and second communication devices (see paragraphs [0020] & [0034]). Calvert teaches delivering the location related information to the requesting one of the first and second communication devices (see paragraphs [0020] & 0059]). Calvert does not specifically teach validating that a location request is permissible. Herle teaches a request for location related

Art Unit: 2617

information received from a communication device regarding another communication device that is validated (see paragraphs [0050]). It would have been obvious to one of ordinary skill in the art at the time the invention was made to make the location information request in Calvert adapt to include validation because it would allow for a more secure transmission of location related information.

Regarding claim 2 Herle teaches wherein the validation request is made by a subscriber to a location determining service (see paragraphs [0022] & [0050]).

Regarding claim 3 Calvert and Herle teach a device as recited in claim 1 except for a validated request that is made by a network node. Calvert teaches a network node (see paragraphs [0022] & [0026]). Herle does teach a validated request that is made by a client device (see paragraph [0050]). It would have been obvious to one of ordinary skill in the art at the time the invention was made to make the location information request in Calvert adapt to include a validated request that is made by a network node because it would allow for a more secure transmission of location related information.

Regarding claim 4 Calvert teaches wherein the communication network comprises a plurality of communication networks (see paragraphs [0022] & [0028]).

Regarding claim 5 Calvert teaches wherein the first communication device is associated with a first network and the second one of the first and second communication devices is associated with any one of the plurality of communication networks (see paragraphs [022] & [0028]).

Regarding claim 6 Calvert teaches wherein the location service center node is in communication with a location determining entity separate from the first and second communication devices (see paragraph [0037]).

Regarding claim 7 Calvert teaches wherein the second one of the first and second communication devices includes a wireless telephone (see paragraph [0023]).

Regarding claim 11 Calvert teaches a method for obtaining location related information (see paragraph [0022]). Calvert teaches initiating a request for location related information associated with one of a first communication device and a second communication device (see paragraphs [0020] & [0034]). Calvert teaches querying a location determining entity for location information (see paragraph [0037]). Calvert teaches providing at least one of the location information and the location related information to one of the first communication device and the second communication device (see paragraphs [0020] & [0059]). Calvert does not specifically teach validating the request. Herle teaches a request for location related information received from a communication device regarding another communication device that is validated (see paragraphs [0050]). It would have been obvious to one of ordinary skill in the art at the time the invention was made to make the location information request in Calvert adapt to include validation because it would allow for a more secure transmission of location related information.

Regarding claim 12 Calvert teaches wherein at least one of the location information and the location related information is provided to a second one of the first communication device and the second communication device (see paragraphs [0020] & 0059]).

Regarding claim 14 Herle teaches providing the location determining entity with information identifying the first one of the first communication device and the second communication device (see paragraphs [0047] & [0050]).

Regarding claim 15 Herle teaches identifying information that includes at least one of a telephone number, an Internet protocol address, and an equipment identification number associated with the first one of a first communication device and a second communication device (see paragraph [0036]).

Regarding claim 16 Calvert teaches initiating a request that comprises operating the second one of the first communication device and second communication device to contact the location determining entity (see paragraph [0054]).

Regarding claim 19 Herle teaches validating the request that is performed in connection with a location service center (see paragraph [0050] and FIGURE 1).

Regarding claim 20 Calvert teaches location related information that includes at least one of a cell site location, a cell site identifier, latitude and longitude, and a UTM coordinate (see paragraph [0005] & [0057]).

Regarding claim 21 Calvert teaches receiving the location information at a location service center; generating the location related information from the received location information, wherein the location related information is provided to the communication device initiating the request for the location related information (see paragraph [0059]).

Regarding claim 22 Calvert teaches a device as recited in claim 9 and is rejected given the same reasoning as above.

Art Unit: 2617

Regarding claim 23 Calvert teaches a device as recited in claim 20 and is rejected given the same reasoning as above.

Regarding claim 24 Calvert teaches wherein the location information is delivered over a first communication network (see paragraph [0034]).

Regarding claim 25 Calvert teaches establishing a communication link between a first and second communication devices over a second communication network (see paragraph [0028]).

Regarding claim 26 Herle teaches wherein each request for location related information is initiated by a subscriber to a location determining service (see paragraphs [0023] & [0024]). Herle teaches wherein the subscriber is associated with the first one of a first communication device and a second communication device (see paragraphs [0024] & [0047]).

Regarding claim 27 Herle teaches the step of validating the request comprises verifying that an account is in good standing (see paragraphs [0047] & [0050]).

Regarding claim 28 Calvert teaches a device as recited in claim 12 and is rejected given the same reasoning as above.

Regarding claim 29 Herle teaches providing at least one of the location information and the location related information to the second one of the first communication device and the second communication device is authorized by a user of a the first one of the first communication device and the second communication device (see paragraphs [0047] & [0050]).

Regarding claim 30 Calvert teaches wherein the communicating includes displaying (see paragraph [0029]).

Regarding claim 31 Calvert teaches wherein the communicating comprises providing a verbalization (see paragraph [0054]).

Regarding claim 46 Calvert teaches a system for providing location related information associated with a mobile communication device (see paragraph [0022]). Calvert teaches determining a location of a first communication device, comprising at least one element on a communication network (see paragraphs [0026] & [0037], system controller relate to element on a communication network). Calvert teaches querying a location determining entity for location information of a first communication device (see paragraph [0037]). Calvert does not specifically teach validating the request for location related information. Herle teaches a request for location related information received from a communication device regarding another communication device that is validated (see paragraphs [0050]). It would have been obvious to one of ordinary skill in the art at the time the invention was made to make the location information request in Calvert adapt to include validation because it would allow for a more secure transmission of location related information.

Regarding claim 47 Calvert teaches means for communicating the location related information to a requestor (see paragraphs [0020] & 0059)).

Regarding claim 48 Calvert teaches means for communicating comprising a second communication device (see paragraph [0022]).

Regarding claim 49 Calvert teaches a second communication device comprising wireless communication means (see paragraph [0022]).

Claims 50, 52, 54-55, 57, and 59-61 are rejected under 35 U.S.C. 103(a) as being unpatentable over Calvert in view of Stewart.

Regarding claim 50 Calvert teaches a method of providing location caller identification information (see paragraph [0034]). Calvert teaches initiating a communication from a first communication device concerning a second communication device through a communication network (see paragraph [0054]). Calvert teaches determining a location of the first communication device by a location service network node in communication with the communication network responsive to the initiating (see paragraphs [0034] & [0037]). Calvert teaches sending information to a second communication device that includes the location of the first communication device (see paragraphs [0054]). Calvert does not specifically teach initiating a call from a first communication device to a second communication device and delivering a call set up signal to a second communication device. Stewart teaches initiating a call from a first communication device to a second communication device through a communication network (see col. 4, lines 24-32). Stewart teaches delivering a call setup signal to the second communication device, the call set up signal including information from the first communication device (see col. 7, lines 8-15). It would have been obvious to one of ordinary skill in the art at the time the invention was made to make the communication in Calvert adapt to include initiating a call from a first communication device to a second communication device and delivering a call set up signal to a second communication device because this would allow for efficient location determination of communication devices in a wireless communication system.

Regarding claim 52 Calvert teaches determining a location of the second communication device at a location service network node responsive to the initiating (see paragraph [0037]); and delivering the location of the second communication device to the first communication device (see paragraph [0059]).

Regarding claim 54 Calvert teaches contacting a location determining entity associated with the communication network (see paragraphs [0026] & [0037], system controller relates to network entity).

Regarding claim 55 Calvert teaches contacting a plurality of location determining entities (see paragraph [0037]).

Regarding claim 57 Calvert teaches contacting a mobile positioning center (see paragraph [0037]).

Regarding claim 59 Stewart teaches determining the location of the first communication device at the time the call is initiated (see col. 6, lines 65-67 and col. 7, lines 1-4).

Regarding claim 60 Calvert teaches a plurality of communication networks and wherein a first communication device and a location service bide are in communication with a first of a plurality of communication networks (see paragraphs [0022]) and the second communication device is in communication with a second of the plurality of communications networks (see paragraph [0028]). Calvert teaches delivering the location of the first communication device to the second communication device (see paragraph [0059]).

Regarding claim 61 Calvert teaches a node in communication with a second communication network (see paragraph 0028]). Calvert teaches determining a location of the second communication device at the node (see paragraph [0037]). Calvert teaches delivering the

Art Unit: 2617

location of the second communication device to the first communication device via the first communication network (see paragraph [0059]). Calvert does not specifically teach call initiation. Stewart teaches call initiation (see col. 6, lines 65-67 and col. 7, lines 1-3 & 30-34). It would have been obvious to one of ordinary skill in the art at the time the invention was made to make the communication in Calvert adapt to include call initiation because this would allow for efficient location determination of communication devices in a wireless communication system.

Claims 13, 17-18, 51, and 53 are rejected under 35 U.S.C. 103(a) as being unpatentable over Calvert in view of Herle and Stewart.

Regarding claim 13 Calvert and Herle teach a device as recited in claim 11 except for requesting a communication link between the first and second communication devices. Stewart teaches requesting a communication link between the first and second communication devices (see col. 6, lines 65-67 and col. 7, lines 1-3 & 30-34). It would have been obvious to one of ordinary skill in the art at the time the invention was made to make the communication in Calvert adapt to include requesting a communication link between the first and second communication devices because this would allow for efficient location determination of a communication devices in a wireless communication system.

Regarding claim 17 Stewart teaches wherein the first communication device comprises a calling communication device (see col. 6, lines 65-67 and col. 7, lines 1-3 & 30-34).

Regarding claim 18 Stewart teaches wherein the first communication device comprises a called communication device (see col. 6, lines 65-67 and col. 7, lines 1-3 & 30-34).

Regarding claim 51 Calvert and Stewart teach a device as recited in claim 50 except for verifying that the second communication device is authorized to receive the location of the first communication device. Herle teaches verifying that the second communication device is authorized to receive the location of the first communication device (see paragraphs [0050]). It would have been obvious to one of ordinary skill in the art at the time the invention was made to make the location information request in Calvert adapt to include validation because it would allow for a more secure transmission of location related information.

Regarding claim 53 Herle teaches verifying that a first communication device is authorized to receive the location of a second communication device (see paragraphs [0050]).

Claims 56 and 58 are rejected under 35 U.S.C. 103(a) as being unpatentable over Calvert in view of Stewart and Oran.

Regarding claim 56 Calvert and Stewart teach a device as recited in claim 54 except for contacting a VoIP positioning center. Oran teaches contacting an automatic location information (ALI) database (see col. 2, lines 19-25). It would have been obvious to one of ordinary skill in the art at the time the invention was made to make the device adapt to include contacting an automatic location information (ALI) database because this would allow for an improved system for discovering and storing location information for network entities or devices.

Regarding claim 58 Calvert and Stewart teach a device as recited in claim 54 except for contacting a VoIP positioning center. Oran teaches contacting a VoIP positioning center (see col. 10, lines 50-60). It would have been obvious to one of ordinary skill in the art at the time the invention was made to make the device adapt to include contacting a VoIP positioning center

Art Unit: 2617

because this would allow for an improved system for discovering and storing location information for network entities or devices.

Response to Arguments

Applicant's arguments with respect to claims 1-31 and 46-61 have been considered but are moot in view of the new ground(s) of rejection.

In response to applicant's argument that the references fail to show certain features of applicant's invention, it is noted that the features upon which applicant relies (i.e., a location from a landline telephone) are not recited in the rejected claim(s). Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993).

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Thomas Pub. No.: US 2003/0060212 A1 discloses a method and system for location tracking.

Yiu et al. U.S. Patent No. 6,928,291 B2 discloses a method and apparatus for dynamically controlling release of private information over a network from a wireless device.

Dooley Pub. No.: US 2001/0048746 A1 discloses a method of estimating the location of a device.

Beason et al. U.S. Patent No. 6,492,941 B1 discloses a combined global positioning system receiver and radio.

Brown et al. U.S. Patent No. 6,873,851 B2 discloses a method, system, and program for providing user location information for a personal information management system from transmitting devices.

Hagebarth U.S. Patent No. 6,687,505 B1 discloses a method of monitoring the position of a mobile subscriber as well as in server and we server for carrying out the method.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Brandon J. Miller whose telephone number is 571-272-7869.

The examiner can normally be reached on Mon.-Fri. 8:00 am to 5:00 pm.


If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, George Eng can be reached on 571-272-7495. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2617

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

A handwritten signature in black ink, appearing to be "Benjamin".

April 13, 2006

A handwritten signature in black ink, appearing to be "George Eng".
GEORGE ENG
SUPERVISORY PATENT EXAMINER